



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No. : 10/781,179  
Applicant : Anthony William Sly  
Filed : February 18, 2004  
TC/A.U. : Not Yet Assigned  
Title : Ophthalmic Fluid  
  
Docket No. : 283702-14-1 (D5053-00031)  
Customer No. : 08933

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| <p><b>CERTIFICATE OF MAILING,</b><br/><b>37 C.F.R. §1.8(a)</b><br/>I certify that this correspondence and the enclosures mentioned therein are being deposited by First Class U.S. Mail with sufficient postage on the date shown below, addressed to Commissioner for Patents, PO Box 1450, Alexandria, Virginia 22313-1450.</p> <p><i>Richard A. Paikoff</i><br/>Richard A. Paikoff, Reg. No. 34,892<br/><u>4/28/04</u><br/>Date</p> |
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Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**SUPPLEMENTAL INFORMATION DISCLOSURE  
STATEMENT TRANSMITTAL LETTER**

Enclosed herewith is a Supplemental Information Disclosure Statement pursuant to 37 CFR. §1.56 in connection with the above-identified application, which statement is being filed:

☐ Together with the present application.

☒ Before the first Office Action on the merits or three (3) months from the filing date of this application, whichever occurs last. [37 CFR § 1.97(b)]

☐ After the first Office Action on the merits, but before a Final Office Action under §1.113 or Notice of Allowance under §1.311, whichever occurs first. [37 CFR §1.97(c)]. *(Either the fee or certification is provided, as set forth below).*

☐ After a Final Office Action under §1.113 or Notice of Allowance under §1.311, but prior to or with payment of the Issue Fee. [37 CFR §1.97(d)]. *The fee and certification are provided, as set forth below).*

Consistent with Applicant's obligations pursuant to 37 CFR §§1.97 and 1.98, the following requirements have been met:

☒ No separate requirements are needed.

☒ No additional fee is required.

**Fee Under 37 CFR § 1.97(c) or 1.97(d)**

☐ The fee of \$180.00 for submission of an IDS under §1.97(c) as set forth in §1.17(p) accompanies this statement.

**Certification Under 37 CFR § 1.97(e)**

The undersigned certifies:

☐ 1 that each item of information contained in the information disclosure statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement; or

☐ 2 that no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the statement after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in §1.56(c) more than three months prior to the filing of the information disclosure statement.

**Provision of Copies of References**

☒ Pursuant to the order of the Deputy Commissioner dated July 11, 2003, copies of the U.S. references are not enclosed.

☒ A copy of the reference cited is enclosed.

☐ A translation of Reference \_\_\_\_\_ is enclosed herewith and forms a part hereof.

☒ A copy of the European Search Report from a corresponding or related German application is enclosed herewith.

☐ A copy of the International Search Report from a corresponding or related PCT application is enclosed herewith.

**Identification of Prior Application(s) In Which Listed Information Was Already Cited And For Which No Copies Are Submitted Or Need Be Submitted**

☐ This application relies, under 35 U.S.C. § 120, on the earlier filing date of prior U.S. Application No(s). \_\_\_\_\_, filed \_\_\_\_\_. The references listed on the attached Form 1449 were cited in the prior application(s) and therefore are not required to be provided in this application.

**PATENT**

☒ The Commissioner is hereby authorized to charge any fees associated with this communication or credit any overpayment to Deposit Account No. 04-1679.

Respectfully submitted,

Date: 7/28/09

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Attorney Docket No.: 283702-14-1 (D5053-00031)



Patent and Trademark Office: U.S. Department of Commerce

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| Substitute for form 1449A/PTO<br><br><b>INFORMATION DISCLOSURE<br/>STATEMENT BY APPLICANT</b><br><br><i>(use as many sheets as necessary)</i><br><br>Sheet 1 of 1 | ATTY. DOCKET NO.<br>283702-14-1              | APPLICATION NO.<br>10/781,179 |
|   | FIRST NAMED APPLICANT<br>Anthony William Sly | EXAMINER                      |
|   | FILING DATE<br>February 18, 2004             | GROUP:                        |
|   |  |                               |

### U.S. PATENT DOCUMENTS

| EXAMINER INITIALS | Cite No. | DOCUMENT NUMBER | Name of Patentee or Applicant of Cited Document | Date of Publication of Cited Document MM-DD-YYYY | Pages, Columns, Lines Where Relevant Passages or Relevant Figures Appear |
|-------------------|----------|-----------------|---|--|--|
|                   | AA       | 4,259,202       | Akira, et al.                                   | 03/31/81   |  |
|                   |          |                 |   |  |  |
|                   |          |                 |   |  |  |
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### FOREIGN PATENT DOCUMENTS

| EXAMINER INITIALS | Cite No. | Office | DOCUMENT NUMBER | COUNTRY | Date of Publication of Cited Document MM-DD-YYYY | Pages, Columns, Lines Where Relevant Passages or Relevant Figures Appear | T |
|-------------------|----------|--------|-----------------|---------|--|--|---|
|                   | AB       |        | WO 98 16217     | PCT     |  |  |   |
|                   |          |        |                 |         |  |  |   |
|                   |          |        |                 |         |  |  |   |

### OTHER DOCUMENTS

| Examiner Initials   | Cite No. | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date page(s), volume-issue number(s), publisher, city and/or country where published.                    | T               |
|---|----------|---|-----------------|
|   | AC       | Harvey, et al., "Identification by Combined Gas Chromatography – Mass Spectrometry of Constituent Long – Chain Fatty Acids and Alcohols from the Meibomian Glands of the Rat and a Comparison with Human Meibomian Lipids", <i>Journal of Chromatography</i> , pp. 253-263 (1987) |                 |
|   | AD       | Copy of European Search Report  |                 |
| EXAMINER  |          |   | DATE CONSIDERED |
| EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP § 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the applicant. |          |   |                 |